

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE**

MICHAEL A. PIETRANGELO

Plaintiff,

VS.

**THE TRACKING CORPORATION,
MICROTRAK GPS, INC., JERRY GRISSAFI,
TILMON KREILING, JR., and WALLY STOCK,**

Defendants.

Docket No. _____

JURY TRIAL DEMANDED

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendants The Tracking Corporation, Microtrakgps, Inc., Jerry Grissafi, Tilmon Kreiling, Jr. and Wally Stock, file this Notice of Removal, stating as follows:

1. On March 6, 2008, the Plaintiff, a resident of Shelby County, Tennessee, commenced a civil action, which is pending in the Circuit Court of Shelby County, Tennessee, under the style *Michael A. Pietrangelo vs. The Tracking Corporation, Microtrakgps, Inc., Jerry Grissafi, Tilmon Kreiling, Jr. and Wally Stock*, Docket No. CT-001162-08. Plaintiff's Complaint for Fraud by the Defendants and Rescission of the Contract alleges, inter alia, that the Defendants made misrepresentations in connection with the sale of stock in Microtrakgps, Inc. in violation of Tenn. Code Ann. § 48-2-121. Plaintiff also asserts causes of action for fraud and negligent misrepresentation in connection with the stock sale. Plaintiff seeks compensatory damages in an amount not less than \$1,350,000.00, plus interest, attorneys' fees, punitive damages and treble

damages pursuant to Tennessee law. A certified copy of the Complaint filed in the Circuit Court is attached hereto as Exhibit 1.

2. Plaintiff alleges in the action that he is a resident of Shelby County, Tennessee, (Complaint, ¶ 1)

3. Defendant, The Tracking Corporation, is a Nevada corporation with its principal place of business located in Dallas, Texas. Microtrakgps, Inc. is a Nevada corporation with its principal place of business in Dallas, Texas. Defendant Jerry Grissafi is an adult resident citizen of Rockwall County, Texas. Defendant Tilmon Kreiling, Jr. is an adult resident citizen of Dallas County, Texas. Defendant Wally Stock is an adult resident citizen of Dallas County, Texas. The Tracking Corporation and Tilmon Kreiling were served with the summons and Complaint on March 13, 2008. All of the other Defendants were served thereafter.

4. Plaintiff alleges that venue is proper in Shelby County, Tennessee (Complaint ¶ 7)

5. The above entitled action is a civil action for damages over which this Court has original jurisdiction by reason of the complete diversity of citizenship between the parties and the matter in controversy being in excess of the sum or value of \$75,000.00, exclusive of interest and costs, as evidenced by the allegations contained in the Complaint. As such, jurisdiction is proper in this court pursuant to 28 U.S.C. § 1332.

6. Defendants do not waive any defenses to which they may be entitled and specifically reserve the same, including insufficiency of process and insufficiency of service of process.

7. Defendants promptly after filing this Notice will give notice and are giving notice thereof to all other parties and to the Circuit Court of Tennessee for the Thirtieth Judicial District

at Memphis, Shelby County, and are further filing a copy of this Notice with the Circuit Court Clerk.

WHEREFOR, Defendants The Tracking Corporation, Microtrakgps, Inc., Jerry Grissafi, Tilmon Kreiling, Jr. and Wally Stock, remove to this Court the above action now pending against them in the Circuit Court of Shelby County, Tennessee, and request that this Court assume jurisdiction over this cause as provided by law.

Respectfully submitted,

WOLFF ARDIS, P.C

By: s/ Mary L. Wolff
Mary L. Wolff (TN BA #008262)
5810 Shelby Oaks Drive
Memphis, TN 38134
mwolff@wolffardis.com
901-763-3336
901-763-3376 Fax

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2008, I served the foregoing via U. S. Mail on the following:

Anthony Pietrangelo
PIETRANGELO COOK PLC
International Place, Tower II
6410 Poplar Ave., Suite 190
Memphis, TN 38119
901-685-2662

Honorable Jimmy Moore
Circuit Court Clerk
140 Adams Avenue
Room 324
Memphis, TN 38103

By: s/ Mary L. Wolff